



Cory Reiss <wcreiss@reissnutt.com>

Eastham v PCCS

Thomas Babel <tsb@dhwlegal.com>

Thu, Jun 23, 2022 at 8:07 AM

To: Cory Reiss <wcreiss@reissnutt.com>

Cc: Kyle Nutt <kjnut@reissnutt.com>, Tricia Babel <tricia@dhwlegal.com>

Cory: I will give you a call to discuss further and to give you some additional background about what transpired prior to your retention. That being said, the issues with the form are as follows:

1. The Form is blank as to what entity this form is being filed for. Please provide a fully filled out form. Our clients will not sign any blank documents. This has been requested multiple times.
2. We need documentation that the stated shareholders and percentages are correct. It's our understanding that additional conveyances of shares have occurred after Mr. Eastham and Mr. Spark left the employ of PCCS. For instance, it was represented by prior counsel that Holly Grange was conveyed interests in PCCS.
3. There is no legal or contractual requirement for our clients to sign this form.
4. During the mediation, which was requested by your clients and which they participated in bad faith, it was contended that PCCS could not conduct business with the Department of Veteran affairs because of a payment in December 2021 to Mark Eastham, which was allegedly approved by Mr. Spark. According to Mr. Sharpe, this payment made Mr. Eastham the highest paid employee at PCCS and thereby disqualified PCCS because Mr. Eastham is not a disabled vet. Not only was this representation factual incorrect, but it was also legally incorrect. Therefore, according to Mr. Sharpe and PCCS, this form is no longer needed because PCCS is no longer qualified to bid on projects. Obviously, through this request, even PCCS and Mr. Sharpe know the allegation concerning Mr. Eastham and Mr. Spark was false. If our clients are going to consider signing this, we will need some type of stipulation wherein the representation and contentions made at the mediation concerning Mr. Eastham and Mr. Spark is retracted.
5. PCCS through counsel, a Mr. Jo, has represented to another creditor, DaVinci, that PCCS is insolvent, is going out of business, and will be filing a petition for chapter 7 bankruptcy protection. If this is true, this form is not required.

All that being said, our clients, as represented multiple times before, would consider signing this form. However, we will need some additional information as outlined above.

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